

**REMARKS/ARGUMENTS**

Claims 1, 2, 6, 8, 9, and 13 are pending in this application. By this Amendment, Applicant AMENDS claims 1, 6, 8, 9, and 13, and CANCELS claims 3-5, 7, 10-12, and 14.

Claim 13 was rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 13 has been amended to satisfy the statutory requirements of 35 U.S.C. § 101. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 13 under 35 U.S.C. § 101.

The Examiner provisionally rejected claim 7 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 28 of co-pending U.S. Application No. 10/598,098. As noted above, Applicant has canceled claim 7. Accordingly, Applicant respectfully submits that this provisional rejection of claim 7 is moot.

Claims 1, 8, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Takagi et al. (U.S. 2003/0080877). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi et al. in view of Kumata et al. (U.S. 2002/0080017). Claims 3 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi et al. in view of Der Ghazarian et al. (U.S. 2002/0128769) and Diaz et al. (U.S. 6,675,006). Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi et al. in view of Torii (JP 2005-014812) and Diaz et al. Claims 6, 7, 11, 12, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi et al. and Torii, and further in view of Diaz et al. and Nobori (U.S. 2003/0222983).

Applicant has canceled claims 3-5, 7, 10-12, and 14. Accordingly, the above rejections of claims 3-5, 7, 10-12, and 14 are moot. Applicant respectfully traverses the rejections of claims 1, 2, 6, 8, 9, and 13.

Claim 1 has been amended to recite:

A surroundings exhibiting system for use in a transportation device , the surroundings exhibiting system comprising:  
an image capturing section arranged to capture a multi-directional image of the surroundings of the transportation device;  
a display section arranged to display at least a portion of the multi-

directional image captured by the image capturing section;  
a door sensor arranged to detect an unlocking of a door and/or an opening or closing of the door; and  
an ignition instruction detection sensor arranged to detect an operator's ignition instruction to the transportation device; wherein  
**the image capturing section is arranged to capture an image in synchronization with the unlocking of the door and/or the opening or closing of the door; and**  
**the display section is arranged to display the image captured by the image capturing section in synchronization with the ignition instruction to show the operator the surroundings of the transportation device in a stopped state.** (emphasis added)

Applicant's claims 8 and 9 recite features that are similar to the features recited in Applicant's claim 1, including the above-emphasized features.

With the unique combination and arrangement of features recited in Applicant's claim 1, including the features of "the image capturing section is arranged to capture an image in synchronization with the unlocking of the door and/or the opening or closing of the door" and "the display section is arranged to display the image captured by the image capturing section in synchronization with the ignition instruction to show the operator the surroundings of the transportation device in a stopped state," Applicant has been able to provide a surroundings exhibiting section for a transportation device that captures a multi-directional image that allows an operator to smoothly and safely start moving the transportation device out of a stopped state (see, for example, the first and second full paragraphs on page 3 of Applicant's specification).

The Examiner alleged that Takagi et al. teaches all of the features recited in Applicant's claim 1, including "'an image capturing section for capturing a multi-directional image of the surroundings of the transportation device; and' - As shown in Takagi Fig. 1, four cameras 52, 54, 56, and 58 capture images toward the front, back, and side (paragraph 44) [and] 'a display section for displaying at least part of the image captured by the image capturing section.' - As shown in Fig. 1, display 60 displays one of the images captured."

Applicant has amended claim 1 to recite the features of "the image capturing section is arranged to capture an image in synchronization with the unlocking of the door and/or the

opening or closing of the door” and “the display section is arranged to display the image captured by the image capturing section in synchronization with the ignition instruction to show the operator the surroundings of the transportation device in a stopped state.” Support for these features is found, for example, in page 3, line 7 to page 5, line 3 of Applicant’s specification and Figs. 4 and 5 of Applicant’s drawings.

Takagi et al. teaches a display 60 that switches between the outputs of a plurality of separate cameras 52, 54, 56, and 58, as shown in Fig. 1 of Takagi et al. As described in paragraphs [0046] and [0047] of Takagi et al., this switching between cameras is performed in response to a driver’s operation of the vehicle. However, nowhere in Takagi et al. is there a teaching or suggestion of controlling the output of the display 60 in synchronization with either a door position or an ignition state, and Takagi et al. certainly does not teach or suggest the synchronization of both the capturing of an image according to a door position and the displaying of the image according to an ignition instruction as recited in Applicant’s Claims 1, 8, and 9.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 8, and 9 under 35 U.S.C. § 102(b) as being anticipated by Takagi et al.

Because Applicant has amended claims 1, 8, and 9 to recite features and method steps that are similar to the features and method steps that were originally cited in now canceled claims 3-5, 7, and 10-12, Applicant will address the deficiencies of Torii and Diaz et al., upon which the Examiner relied to allegedly teach these features and method steps recited in the rejections of claims 3-5, 7, and 10-12.

The Examiner relied upon Torii for an alleged teaching of a sensor for detecting the unlocking of a door. Paragraph [0001] of Torii teaches, “a vehicle rear display device for capturing and displaying a rear view of a door when a person is to exit from a vehicle.” However, Torii does not contain a teaching or suggestion of the synchronization of both the capturing of an image according to a door position and the displaying of the image according to an operator’s ignition instruction as recited in Applicant’s Claims 1, 8, and 9. Furthermore, when a person is about to exit a vehicle, it is very likely that the engine of the vehicle is either in

an idling state or in a stopped state, and it is very rare that an operator of the vehicle give an operator's ignition instruction to the vehicle while the operator is exiting the vehicle. Rather, it is much more likely that the operator will have already turned the engine of the vehicle to the off position before exiting the vehicle. Thus, there would have been no reason for one of ordinary skill in the art at the time of the invention to include the feature of synchronizing the display of Torii with an operator's ignition instruction of the vehicle.

The Examiner also relied upon Diaz et al. to allegedly teach capturing an image in response to the unlocking of a door. However, Diaz et al. is directed to a security device that records an interior of a vehicle in response to the unlocking of a door, as discussed in the abstract and column 3, lines 32-45 of Diaz et al. There is no teaching or suggestion in Diaz et al. of both the capturing of an image according to a door position and the displaying of the image according to an ignition instruction as recited in Applicant's Claims 1, 8, and 9. Furthermore, the recording apparatus of Diaz et al. captures the image of an unauthorized individual's entrance into the vehicle, and thus starts immediately upon the opening of the door, as described in column 4, lines 39-54 of Diaz et al. Waiting to start recording the interior of the vehicle until after the ignition has been triggered by the unauthorized individual would not have been desirable because an unauthorized individual may only be interested in stealing items from inside the vehicle, and not the vehicle itself. If the camera were to wait for the ignition, the unauthorized individual could steal items from the vehicle without being recorded.

Thus, each of Takagi et al., Torii, and Diaz et al. clearly fail to teach or suggest the features of "the image capturing section is arranged to capture an image in synchronization with the unlocking of the door and/or the opening or closing of the door" and "the display section is arranged to display the image captured by the image capturing section in synchronization with the ignition instruction to show the operator the surroundings of the transportation device in a stopped state," as recited in Applicant's claim 1 and similarly recited in Applicant's claims 8 and 9.

Accordingly, Applicant respectfully submits that a rejection of claims 1, 8, and 9 as being unpatentable in view of Takagi et al., Torii, and Diaz et al., applied alone or in combination,

would be improper.

The Examiner relied upon Kumata et al., Der Ghazarian et al., and Nobori to allegedly cure the deficiencies Takagi et al. However, Kumata et al., Der Ghazarian et al., and Nobori also clearly fail to teach or suggest the features of “the image capturing section is arranged to capture an image in synchronization with the unlocking of the door and/or the opening or closing of the door” and “the display section is arranged to display the image captured by the image capturing section in synchronization with the ignition instruction to show the operator the surroundings of the transportation device in a stopped state,” as recited in Applicant’s claim 1 and similarly recited in Applicant’s claims 8 and 9. Thus, Applicant respectfully submits that Kumata et al., Der Ghazarian et al., and Nobori fail to cure the deficiencies of Takagi et al., Diaz et al., and Torii described above.

Accordingly, Applicant respectfully submits that Takagi et al., Kumata et al., Der Ghazarian et al., Diaz et al., Torii, and Nobori, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in Applicant’s claims 1, 8, and 9.

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1, 8, and 9 are allowable. Claims 2, 6, and 13 depend upon claims 1 and 9, and are therefore allowable for at least the reasons that claims 1 and 9 are allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a ONE-month extension of time, extending to February 7, 2009, the period for response to the Office Action dated October 7, 2008.

Application No. 10/598,106  
February 5, 2009  
Reply to the Office Action dated October 7, 2008  
Page 10 of 10

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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